

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

RADU TURNER, SELINA TURNER,
ZION NEVELS, ALESIA MCRAE, BY
AND THROUGH HER PARENT AND
GUARDIAN, SELINA TURNER,

Plaintiffs,

v.

STEVEN WEBER, AND COUNTRY
PREFERRED INSURANCE COMPANY,

Defendants.

*
*
*
*
*
*
*
*
*
*
*
*

Civil Action No.: _____

NOTICE OF REMOVAL

COMES NOW Country Preferred Insurance Company (hereinafter referred to as "Country"), a defendant in the above-styled action, and hereby files this notice of removal of the action herein referred to from the Superior Court of Gwinnett County, Georgia to the United States District Court for the Northern District of Georgia, Atlanta Division, respectfully showing to the Court as follows:

1.

Country is a defendant in a civil action brought against it and Steven Weber in the Superior Court of Gwinnett County, Georgia in an action entitled:

RADU TURNER, SELINA TURNER,
ZION NEVELS, ALESIA MCRAE, BY
AND THROUGH HER PARENT AND
GUARDIAN, SELINA TURNER,

Plaintiffs,

v.

STEVEN WEBER, AND COUNTRY
PREFERRED INSURANCE COMPANY,

Defendants.

*
*
*
*
*
*
*
*
*
*
*
*

Civil Action No.: 23-A-00772-2

2.

Copies of all process and pleadings (no orders filed) filed
in said action to date are attached hereto as Exhibit "A".

3.

Said action was commenced by the filing of the complaint
against the defendants on January 26, 2023.

4.

Country was served with the summons and complaint on
February 28, 2023.

5.

Defendant Steven Weber was served with the summons and
complaint on March 3, 2023.

6.

The controversy between plaintiffs and defendants is a
controversy between of citizens of different states.

7.

At the commencement of said action and at all times thereafter:

- a. Plaintiffs were citizens of the United States who were domiciled in the state of Georgia; therefore, plaintiffs are citizens of the state of Georgia.
- b. Defendant Steven Weber is a citizen of the United States who is domiciled in the state of Illinois; therefore, defendant Steven Weber is a citizen of the state of Illinois.
- c. Country is an Illinois corporation with its principal place of business located in Bloomington, Illinois; therefore, Country is a corporate citizen of the state of Illinois.

8.

Based upon the allegations in plaintiffs' complaint, the matter in controversy exceeds the sum of \$75,000.00, exclusive of interests and costs, and is a civil action brought in a state court over which the United States District Court has original jurisdiction based upon diversity of citizenship between the parties, pursuant to 28 U.S.C. § 1332.

9.

Said action is one which may be removed to this Court, and

this notice of removal is filed pursuant to 28 U.S.C. §§ 1441 and 1446.

10.

Country has filed this notice of removal within thirty (30) days after service of the summons and complaint upon it.

11.

Pursuant to 28 U.S.C. § 1446(b) (2) (A), defendant Steven Weber has joined in and consented to the removal of this action to this Court. Attached hereto as Exhibit "B" is the declaration of defendant Steven Weber in which he joins in and consents to the removal of this action to this Court.

12.

Written notice of the filing of this notice of removal and of the removal of the above-styled action is being delivered to all parties, through their counsel. A copy of this notice of removal will be filed promptly with the Superior Court of Gwinnett County, Georgia.

13.

The undersigned has read this notice of removal, and to the best of the undersigned's knowledge, information, and belief, formed after reasonable inquiry, it is well grounded in fact, is warranted by existing law, and is not interposed for any improper purpose, such as to harass or cause unnecessary delay or needless

increase in the costs of litigation.

WHEREFORE, Country prays that this notice of removal be filed, that said action designated as Civil Action Number 23-A-00772-2 in the Superior Court of Gwinnett County, Georgia be removed to and proceed in this Court, and that no further proceedings be had in said case in the Superior Court of Gwinnett County, Georgia.

This 30th day of March, 2023.

YOUNG, THAGARD, HOFFMAN, LLP

Address of Counsel:

P.O. Box 3007
Valdosta, GA 31604
229-242-2520
229-242-5040 fax
jaysmith@youngthagard.com

By: /s/ J. Holder Smith, Jr.
J. Holder Smith, Jr.
State Bar No.: 661105
Attorney for Defendant Country
Preferred Insurance Company

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing **NOTICE OF REMOVAL** upon the following using the CM/ECF system which will send notification of such filing to the following and also by electronic service by email:

Mr. Juan Estrada
Juan Estrada Law
3675 Crestwood Parkway
Suite 400
Duluth, GA 30096
Email: Juan@JuanEstradaLaw.com

Mr. Nikolai Makarenko
Groth, Makarenko, Kaiser & Eidex
One Sugarloaf Centre
1960 Satellite Boulevard
Suite 200
Duluth, GA 30097
Email: nm@gmke.law

This 30th day of March, 2023.

YOUNG, THAGARD, HOFFMAN, LLP

Address of Counsel:

P.O. Box 3007
Valdosta, GA 31604
229-242-2520
229-242-5040 fax
jaysmith@youngthagard.com

By: /s/ J. Holder Smith, Jr.
J. Holder Smith, Jr.
State Bar No.: 661105
Attorney for Defendant Country
Preferred Insurance Company